



Attorney File Ref: 102792-210 / 11363P3

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tak Wai CHEUNG et al.
Serial No.: 10/595872
Filing Date: 17.May.2006
Examiner: to be assigned
Art Group: to be assigned
Title: CLEANING COMPOSITIONS

28 November 2006

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ADMIT OATH & DECLARATION PURUSANT TO

37 CFR 1.47(a), 35 USC 118

(JOINT INVENTOR -- INVENTOR UNAVAILABLE - 'CANNOT BE REACHED')

AND

**RESPONSE TO 'NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371 IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)'**

The applicant encloses copies of the following documents for consideration by the Office:

- (a) Copy of a *Combined Oath, Declaration and Power of Attorney* executed by co-inventor Tak Wai CHEUNG with respect to the instant application;

- (b) Copy of a *Combined Oath, Declaration and Power of Attorney* executed by co-inventor Steven WU with respect to the instant application;
- (c) Copy of a *Combined Oath, Declaration and Power of Attorney* executed by co-inventor Edward FU with respect to the instant application;
- (d) Copy of a letter dated 19 October, 2006 addressed to Mr. Andrew COURTNEY, of Oak Ridge, New Jersey transmitting copies of the above identified patent application as well as copies of a *Combined Oath, Declaration and Power of Attorney* and an *Assignment* for his review and signature.
- (e) Copy of Federal Express tracking report dated 10/20/2006, indicating receipt of the aforesaid letter at the last known residence address of co-inventor Andrew COURTNEY on 20.Oct.2006
- (f) Copy of Federal Express tracking report dated 10/26/2006, indicating receipt of the aforesaid letter at the last known residence address by co-inventor Andrew COURTNEY on 20.Oct.2006, including a facsimile of the signature of Andrew COURTNEY
- (g) Copy of USPTO Form PCT/DO/EO/905 (371 Formalities Notice) dated as mailed 28.Sep.2006 and titled 'Notification of Missing Requirements under 35 USC 371 in the United States Designated/elected Office (DO/EO/US)'

The undersigned respectfully requests recognition of the satisfaction of the requirements for filing of an application in the USPTO pursuant to 37 CFR 1.47(a), 35 USC 118, notwithstanding the non-cooperation of the named joint inventor, Andrew COURTNEY, to sign the *Combined Oath, Declaration and Power of Attorney* in the application, and

permit the successor in interest, Reckitt Benckiser Inc., the continue prosecution of the application in his stead.

In view of the foregoing facts that are believed to clearly establish that the documents requiring signature by co-inventor Andrew COURTNEY were received at his last known residence address and that co-inventor Andrew COURTNEY has had ample opportunity to review these aforesaid documents and to sign the same and enter into the application.

The applicant, Reckitt Benckiser Inc., prays that this petition be granted to avoid irreparable damage, e.g., loss of rights to its patent application as well as potential loss of its rights to any patents which may issue therefrom as they are the inventors' successor in interest.

The applicant also prays that the copies of the *Combined Oath, Declaration and Power of Attorney* documents submitted as documents (a) – (c) be entered into the file wrapper of the application, in satisfaction of the requirements of the 'Notification of Missing Requirements under 35 USC 371 in the United States Designated/elected Office (DO/EO/US)', a copy of which is being concurrently transmitted with this paper as indicated above. The fee due may be paid from the general authorization to charge the USPTO Deposit Account indicated below.

Favorable consideration of this petition and return to the normal course of prosecution is respectfully requested. It is respectfully requested that the *Combined Oath, Declaration and Power of Attorney* be admitted pursuant to 37 CFR 1.47(b) wherein the inventor relating to this U.S. patent application cannot be reached. It is further respectfully requested that all claims to priority rights be recognized.

Authorization to Charge USPTO Deposit Account

The Commissioner is authorized to debit any necessary fees which may be required to ensure consideration entry of this paper, and any of the enclosures thereto, to USPTO Deposit Account 14-1263 in the name of Norris McLaughlin & Marcus, PA.

Should the Office believe that telephonic communication would advance the prosecution of the instant application, or should there be any question concerning this paper, the Office is invited to telephone the undersigned at the number given below.

Respectfully submitted,

Andrew N. Parfomak

Date: 28 Nov 2006

Andrew N. Parfomak
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Enclosures – as indicated

CERTIFICATE OF MAILING

I hereby certify that this paper and all papers stated as being attached herewith are being deposited with the United States Postal Service as USPS First Class Mail in an envelope addressed to Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

By: Kimberly Birmingham
Kimberly Birmingham

Date: 11/28/06